

UNITED STATES DISTRICT COURT

DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA	:	
	:	
Plaintiff,	:	
v.	:	Civil No. 3:19CV1292
	:	
(1) CONTENTS OF ACCOUNT ENDING	:	
4316 HELD IN THE NAME OF B.C.	:	
FLYNN CONTRACTING	:	
CORPORATION AT JP MORGAN	:	
CHASE BANK,	:	
	:	
(2) CONTENTS OF ACCOUNT ENDING:	:	
8741 HELD IN THE NAMES OF	:	
MICHAEL FLYNN AND MARIA FLYNN	:	
AT BANK OF AMERICA,	:	
	:	
(3) CONTENTS OF ACCOUNT ENDING	:	
3432 HELD IN THE NAME OF	:	
MICHAEL FLYNN AT	:	
TD AMERITRADE,	:	
	:	
Defendants.	:	August 20, 2019
	:	
[CLAIMANTS: MICHAEL S. FLYNN,	:	
MARIA R. FLYNN, AND B.C. FLYNN	:	
CONTRACTING CORPORATION]	:	

VERIFIED COMPLAINT OF FORFEITURE

Plaintiff, United States of America, by and through its attorneys, John H. Durham, United States Attorney for the District of Connecticut, and Julie G. Turbert, Assistant United States Attorney, brings this complaint and alleges as follows in accordance with Rule G(2) of the Supplemental Rules for Admiralty Maritime and Forfeiture Claims:

### NATURE OF THE ACTION

1. This is an action to forfeit and condemn to the use and benefit of the United States of America the following property: (1) contents of account ending 4316, held in the name of B.C. Flynn Contracting Corporation at JP Morgan Chase Bank, (2) contents of account ending 8741, held in the names of Michael Flynn and Maria Flynn at Bank of America; and (3) contents of account ending 3432, held in the name of Michael Flynn at TD Ameritrade, for violations of 18 U.S.C. § 981(a)(1)(A) or (C).

### THE DEFENDANTS IN REM

2. The defendants are: (1) contents of account ending 4316, held in the name of B.C. Flynn Contracting Corporation at JP Morgan Chase Bank, (2) contents of account ending 8741, held in the names of Michael Flynn and Maria Flynn at Bank of America; and (3) contents of account ending 3432, held in the name of Michael Flynn at TD Ameritrade,

3. On March 23, 2018, accounts ending 4316 at JP Morgan Chase 8741 at Bank of America were seized pursuant to federal seizure warrants. The account funds are presently in the custody of the United States Marshals Service. On March 23, 2018, the account ending 3432 at TD Ameritrade was frozen pursuant to a federal seizure warrant.

### JURISDICTION AND VENUE

4. Plaintiff brings this action *in rem* in its own right to forfeit and condemn the defendants. This Court has jurisdiction over an action commenced by the United States pursuant to 28 U.S.C. § 1345, and over an action for forfeiture pursuant to 28 U.S.C. § 1355(a).

5. This Court has *in rem* jurisdiction over the defendants under 28 U.S.C. 1355(b). Upon the filing of this complaint, the plaintiff requests that the Court issue arrest warrants *in rem*

pursuant to Supplemental Rule G(3)(b), which the plaintiff will execute upon the defendants pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

6. Venue is proper in this district pursuant to 28 U.S.C. § 1355(b)(1), because the acts or omissions giving rise to the forfeiture occurred in this district.

**BASIS FOR FORFEITURE**

7. The defendants are subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A) for the forfeiture of property involved in a financial transaction in violation of 18 U.S.C. § 1956 or 1957, or to enforce the provisions of 18 U.S.C. § 981(a)(1)(C) for the forfeiture of property which constitutes or is derived from proceeds traceable to an offense constituting “specified unlawful activity” (as defined in 18 U.S.C. § 1956(c)(7)), namely wire fraud in violation of 18 U.S.C. § 1343, or conspiracy to commit such offense.

8. Michael S. Flynn, Maria R. Flynn, and B.C. Contracting Corporation have agreed to the forfeiture of the defendants and have executed a Stipulated Forfeiture Agreement attached hereto.

WHEREFORE, the United States of America prays that Warrants of Arrest In Rem for the defendants; that due notice be given to all parties to appear and show cause why the forfeiture should not be decreed; that judgment be entered declaring the defendants to be condemned and forfeited to the United States of America for disposition according to law; and

that the United States of America be granted such other and further relief as this Court may deem just and proper.

Respectfully submitted,

JOHN H. DURHAM  
UNITED STATES ATTORNEY

/s/ John B. Hughes  
JOHN B. HUGHES  
ASSISTANT U.S. ATTORNEY  
CHIEF, CIVIL DIVISION

/s/ Julie G. Turbert  
JULIE G. TURBERT  
ASSISTANT U.S. ATTORNEY  
ATTORNEY BAR # ct23398  
157 CHURCH STREET  
NEW HAVEN, CT 06510  
TELEPHONE: (203) 821-3700  
FAX: (203) 773-5373  
EMAIL: [Julie.Turbert@usdoj.gov](mailto:Julie.Turbert@usdoj.gov)

DECLARATION

I am a Special Agent of the Federal Bureau of Investigation and the case agent assigned the responsibility for this case.

I have read the contents of the foregoing Verified Complaint of Forfeiture, and it is true to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 16<sup>th</sup> day of August, 2019.

/s/ Russell Frandsen  
RUSSELL FRANDSEN  
SPECIAL AGENT  
FEDERAL BUREAU OF INVESTIGATION

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Defendants.	:	
	:	
[CLAIMANTS: MICHAEL S. FLYNN,	:	
MARIA R. FLYNN, AND B.C. FLYNN	:	
CONTRACTING CORPORATION]	:	

STIPULATED FORFEITURE AGREEMENT

It is hereby stipulated by and between the PLAINTIFF, UNITED STATES OF AMERICA ("UNITED STATES"), on the one hand, and the CLAIMANTS, MICHAEL S. FLYNN, MARIA R. FLYNN, AND B.C. FLYNN CONTRACTING CORPORATION ("CLAIMANTS"), on the other, by and through their respective attorneys, as follows:

1. CLAIMANTS hereby warrant that they are the sole owners of the property defendants listed above, and further state that they claim exclusive right, title and interest in and to the property defendants.

2. That the CLAIMANTS, MICHAEL S. FLYNN, MARIA R. FLYNN, AND B.C. FLYNN CONTRACTING CORPORATION agree to the forfeiture of the property defendants to the United States of America, to be disposed of according to law. CLAIMANTS agree to the forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A) and (C).

3. CLAIMANTS further agree that neither they nor any current or future officers, agents, representatives, subrogees, assigns or successors of CLAIMANTS shall appear in, or pursue any action or proceeding at law or in equity to contest the forfeiture of the property defendants to the UNITED STATES as provided in Paragraph 2 above. CLAIMANTS further waive the requirements of Supplemental Rule G regarding direct notice to Claimant, and consent to the entry of any Motion for Decree of Forfeiture, filed hereafter, consistent with the terms of this Stipulation.

4. CLAIMANTS further release and forever discharge the United States of America, the Federal Bureau of Investigation, the Department of Justice -- Antitrust Division, the Department of Defense -- Office of Inspector General, and the United States Marshals Service, and their officers, agents, servants, and employees, their heirs, successors, or assigns, from any and all actions, causes of action, suits, proceedings, debts, dues, contracts, judgments, damages, claims, and/or demands whatsoever in law or equity which claimant, his heirs, successors, or assigns ever had, now have, or may have in the future in connection with the seizure, detention, forfeiture, by the United States of America of the property defendants.

5. That the CLAIMANTS further agree to hold and save the United States of America, the Federal Bureau of Investigation, the Department of Justice -- Antitrust Division, the Department of Defense – Office of Inspector General, and the United States Marshals Service, and their servants, employees, heirs, successors, or assigns harmless from any claims by any others, including costs and expenses for, or on account of any and all lawsuits or claims of any character whatsoever, in connection with the seizure, detention, forfeiture of the property defendants.

6. This Stipulated Forfeiture Agreement shall not constitute an admission of liability or fault on the part of the UNITED STATES, its officers, agents, servants, or employees, or on the part of the CLAIMANTS, and is entered into by all parties for the purpose of compromising disputed claims and avoiding the expenses and risks of litigation.

7. The UNITED STATES and the CLAIMANTS agree to bear their own costs and attorneys' fees, and to execute and/or consent to, any additional documents necessary to implement the terms of this stipulated agreement.

PLAINTIFF, UNITED STATES OF  
AMERICA

JOHN H. DURHAM  
UNITED STATES ATTORNEY

5/2/19  
DATE

/s/ Julie G. Turbert  
JULIE G. TURBERT  
ASSISTANT U.S. ATTORNEY  
ATTORNEY BAR # ct23398  
157 CHURCH STREET  
NEW HAVEN, CT 06510  
TELEPHONE: (203) 821-3700  
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Email: [Julie.Turbert@usdoj.gov](mailto:Julie.Turbert@usdoj.gov)

CLAIMANTS, MICHAEL S. FLYNN,  
MARIA R. FLYNN, AND B.C. FLYNN  
CONTRACTING CORPORATION

May 1, 2019  
DATE

/s/ Stephan Seeger  
STEPHAN SEEGER, ESQ.  
ATTORNEY BAR # ct  
LAW OFFICES OF SJ CARRIERO, LLC  
810 BEDFORD STREET, SUITE #3  
STAMFORD, CT 06901  
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5/1/19  
DATE

/s/ Michael S. Flynn  
MICHAEL S. FLYNN  
CLAIMANT

5/1/19  
DATE

/s/ Maria R. Flynn  
MARIA R. FLYNN  
CLAIMANT

5/1/19  
DATE

/s/ Michael S. Flynn  
B.C. FLYNN CONTRACTING  
CORPORATION  
CLAIMANT  
BY: MICHAEL S. FLYNN